

EXHIBIT 6

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 - - - - -x

5 SERGEY LEONTIEV,

6 Plaintiff,

Case No. 16-cv-3595

7 -against-

8 ALEXANDER VARSHAVSKY,

9 Defendant.

10 - - - - -x

11 January 9, 2017

12 9:40 a.m.

13 *** CONFIDENTIAL ***

14
15 Videotaped deposition of
16 VITALIY POPOV, taken by Plaintiff,
17 pursuant to Notice, held at the offices of
18 Roschier Asianajotoimisto Oy, Keskuskatu
19 7A, Helsinki, Finland, before
20 Sharon Lengel, a Registered Professional
21 Reporter, Certified Realtime Reporter, and
22 Notary Public of the State of New York.

23
24 * * *
25

A P P E A R A N C E S:

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BY: NICHOLAS C. TOMPKINS, ESQ.

COLBY A. SMITH, ESQ.

ALSO PRESENT:

DAVID ROSS ELLIOTT, Videographer

PAVEL KHOKHLACHEV, Interpreter

VICTOR POTAPOV, Check Interpreter

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1 POPOV - CONFIDENTIAL

2 Ms. Monakhova told you that?

3 MR. SMITH: Objection to form.

4 A. No. I already said that it was
5 Yanna Krisiuk who said that it was their
6 company, a company of the shareholders of
7 the bank.

8 Q. So did Ms. Monakhova tell you
9 anything about Ambika?

10 A. I don't remember.

11 Q. And when you say the
12 shareholders of the bank, did you know who
13 they were, who the shareholders of the
14 bank were in December of 2008?

15 A. No.

16 Q. Did you ask Ms. Monakhova why
17 the loan was being made?

18 MR. SMITH: Objection.

19 A. Monakhova said that it was our
20 shareholders who provided the loan to the
21 shareholders of the bank, and this is all
22 I know.

23 Q. Did you ask Ms. Monakhova why it
24 was being structured as a loan from New
25 York Motors Moscow to Ambika?

1 POPOV - CONFIDENTIAL

2 A. No.

3 Q. Did you have any discussion with
4 Ms. Monakhova or Ms. Krisiuk about the
5 interest rate for the loan?

6 A. I did not discuss the financial
7 conditions of the contract. This was the
8 responsibility of the financial
9 department. Monakhova told me the
10 conditions of the loan.

11 Q. Is it fair to say, then, that
12 your role was simply to document an
13 agreement that had been reached by
14 Ms. Monakhova with Probusinessbank?

15 MR. SMITH: Objection to form.

16 A. Once again, Monakhova did not
17 reach an agreement with Probusinessbank.
18 The agreement was made between the
19 shareholders of our company and the
20 shareholders of Probusinessbank.

21 Q. Okay. Is it fair to say that
22 your role was simply to document this
23 agreement that had been reached as opposed
24 to negotiating any of the terms of the
25 agreement?

1 POPOV - CONFIDENTIAL

2 A. Yes.

3 Q. Do you remember any discussions
4 about whether Ambika was creditworthy?

5 A. No. I don't remember
6 discussions.

7 Q. Other than your discussions with
8 Ms. Monakhova, did you have any
9 discussions with anyone else within New
10 York Motors Moscow concerning the
11 agreement at the time?

12 A. Possibly Semenova, but I don't
13 remember.

14 Q. Do you recall any discussions
15 about what kind of security there would be
16 for repayment of the loan?

17 A. I do not remember any
18 discussions.

19 Q. In Exhibit 7, after the first
20 couple of pages, there are a number of
21 additional agreements relating to this
22 loan.

23 Did you have any involvement
24 with any of these additional agreements?

25 A. Possibly. I do not remember

CERTIFICATION

I, SHARON LENGEL, a Notary Public for
and within the State of New York, do
hereby certify:

That the witness whose testimony as
herein set forth, was duly sworn by me;
and that the within transcript is a true
record of the testimony given by said
witness.

I further certify that I am not
related to any of the parties to this
action by blood or marriage, and that I am
in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 17th day of January,
2017.



SHARON LENGEL, RPR, CRR

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